

**UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION-DETROIT**

In Re:
Fortina Harris

Chapter 13
Case No. 19-30536
Judge Joel D. Applebaum

Debtor(s).____/

**STIPULATION ALLOWING DEBTOR(S) TO ENTER INTO TRIAL LOAN MODIFICATION
WITH MORTGAGE CREDITOR, SELECT PORTFOLIO SERVICING**

The above-captioned Debtor(s) and Carl Bekofske, Standing Chapter 13 Trustee, hereby stipulate and agree to the entry of an Order Allowing Debtor(s) to Enter into Trial Loan Modification with mortgage creditor, Select Portfolio Servicing, which is attached hereto as Exhibit A.

/s/ Carl Bekofske

Carl Bekofske
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Flint, MI 48502
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/s/ Anthony Abueita

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**UNITED STATES BANKRUPTCY COURT
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In Re:
Fortina Harris

Chapter 13
Case No. 19-30536
Judge Joel D. Applebaum

Debtor(s). /

**ORDER ALLOWING DEBTORS TO ENTER INTO A TRIAL MORTGAGE LOAN MODIFICATION
WITH AND AUTHORIZING THE CHAPTER 13 TRUSTEE TO DISBURSE TRIAL PERIOD
PAYMENTS**

Upon Stipulation of the Debtors, by and through her counsel, and the Chapter 13 Trustee, and the Court being fully advised of the said premises. The proposed modification is a three (3) month trial period.

IT IS HEREBY ORDERED that the parties and terms of the proposed modification include:

Mortgage Creditor/Servicer: Select Portfolio Servicing
Borrower Name(s): Fortina Harris
Property Address: 711 W Ridgeway Ave., Flint, MI 48505
Mortgage Account No: 0019821297
Proposed Modified Trial Payment: 3 Trial Payments in the amount of \$429.05 each
First Trial Payment Due: October 1, 2019

IT IS FURTHER ORDERED that the Chapter 13 Trustee shall disburse three (3) Trial Payments to debtors' Mortgage Creditor as follows:

- a. First Trial Payment Due October 1, 2019: The Trustee shall disburse this trial payment from available funds by manual check upon entry of this Order and shall attempt to ensure delivery of the check is delivered to the creditor before the due date indicated.
- b. Second Trial Payment Due November 1, 2019: The Trustee shall disburse this trial payment from available funds by manual check upon entry of this Order and shall attempt to ensure delivery of the check is delivered to the creditor before the due date indicated.
- c. Third Trial Payment Due December 1, 2019: The Trustee shall disburse this trial payment from available funds by manual check upon entry of this Order and shall attempt to ensure delivery of the check is delivered to the creditor before the due date indicated.

**THE TRUSTEE'S DISBURSEMENTS SHALL BE MADE PAYABLE TO SELECT PORTFOLIO SERVICING AND SHALL BE
MAILED TO THE CREDITOR AT THE FOLLOWING ADDRESS :**

PO Box 65450

SALT LAKE CITY, UT 84165-0450

IT IS FURTHER ORDERED that the Chapter 13 Trustee shall not disburse on the pre-confirmation arrearage claim until further order of this Court granting a permanent loan modification or a correspondence from the Creditor indicating that the loan modification was denied.

IT IS FURTHER ORDERED that the Chapter 13 Trustee is authorized to continue the post-trial period payments within the Trustee's regular disbursement cycle to the Creditor in the amount of the Trial Payment consistent with the terms provided in the attached Loan Modification Agreement (a copy of which has been provided directly to the Trustee in conjunction with the filing of this pleading) until further order of the court. In the event the final modification is denied or the terms altered, the creditor's right to object to the amount of its continuing monthly payment is preserved.

IT IS FURTHER ORDERED that within 28 days of the last payment under the trial modification, debtors must advise the Chapter 13 Trustee whether the modification was made permanent continued or denied and provide proof of the terms of the implementation or denial of a final modification.

IT IS FURTHER ORDERED that if the Loan Modification is made permanent, the creditor is to either file amendments to the creditor's claim to reflect the proposed changes to the mortgage payment and treatment of the pre-petition arrearages claim or if the creditor does not file the amendments, the debtors shall file a modification of the plan addressing the modifications of the claim consistent with the terms of the final loan modification.

IT IS FURTHER ORDERED that within 7 days of the entry of this order, debtor's counsel shall serve a copy of the order on the Mortgage Creditor and their attorney of record. Service on the Mortgage Creditor shall be by mail to the payment address listed above, at the address listed for notice in the Creditor's Proof of Claim and any other address where the creditor has specifically requested notice.

EXHIBIT A